

WILMERHALE

Justina L. Geraci

August 30, 2010

Via Facsimile (212) 805-7912

Hon. John G. Koeltl
 United States District Judge
 Daniel Patrick Moynihan
 United States Courthouse
 500 Pearl Street
 New York, NY 10007

+1 212 295 0300(n)
 +1 212 295 0000(w)
geraci@wilmerhale.com

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>9/7/2010</u>

Re: Freishtat v. LivePerson, Inc., 07-CV-6838 (JGK)

Dear Judge Koeltl:

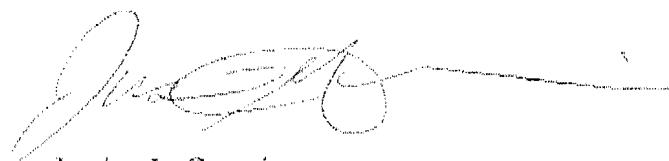
We represent Defendant LivePerson, Inc. in the above-referenced action.

As requested by Your Honor, I write on behalf of both parties to confirm our availability for a five-day trial of this matter beginning Monday, October 18, 2010 and concluding Friday, October 22, 2010.

The parties also confirm their availability for a final pre-trial conference on Thursday, October 14, 2010.

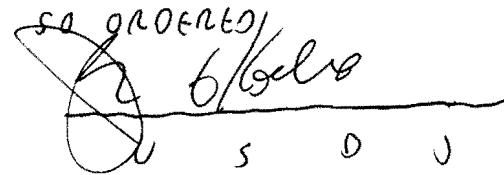
Please do not hesitate to contact me if you have any questions or wish to discuss this matter further.

Very truly yours,



Justina L. Geraci

THIS LETTER SHALL
 BE FILED

SO ORDERED

 9/2/10. 6/6/10
 S D J

cc: Stacie F. Dubnow, Esq. (via facsimile (410) 727-7356)
 William Michael Mullen, Esq.
 Douglas F. Curtis, Esq.